



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON D.C. 20460

NOV 15 2004

OFFICE OF
CIVIL RIGHTS

RETURN RECEIPT REQUESTED

CERTIFIED MAIL #7003 2260 0005 1961 1797

In Reply Refer to:

EPA File No. 11R-04-R5

Vicky Hestad, Director
Clean Air Madison
P.O. Box 14172
Madison, WI 53708

Re: REJECTION WITHOUT PREJUDICE OF ADMINISTRATIVE COMPLAINT

Dear Ms. Hestad:

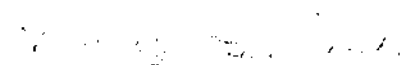
On October 22, 2004, Clean Air Madison filed an administrative complaint with the U.S. Environmental Protection Agency's (EPA) Office of Civil Rights (OCR). The complaint alleges that the Wisconsin Department of Natural Resources violated Title VI of the Civil Rights Act of 1964, as amended, 42 U.S.C. §§ 2000d to 2000d-7 (Title VI), and EPA's regulations implementing Title VI found at 40 C.F.R. Part 7. This is to notify you that OCR is rejecting your complaint without prejudice due to the ongoing State of Wisconsin Administrative Hearing (Case # 1H-04-02).

OCR's standard practice is to reject administrative complaints where the same subject matter is involved in an adjudicative proceeding. A decision in the Wisconsin administrative hearing may be dispositive as to the administrative complaint filed with OCR. Therefore, OCR will not accept your administrative complaint at this time.

This complaint may be re-filed within 60 calendar days after the conclusion of the adjudicative process. However, OCR may choose not to proceed with a complaint investigation if the allegations in this complaint were substantively decided by the Wisconsin Administrative Law Judge.

If you have any questions, please contact Yasmin Yorker, Assistant Director, External Compliance Program, OCR, by telephone at (202) 343-9682, by e-mail at yorker.yasmin@epa.gov or by mail at U.S. EPA, Office of Civil Rights (Mail Code 1201A), 1200 Pennsylvania Ave. NW., Washington, D.C. 20460.

Sincerely,



Karen D. Higginbotham
Director

cc: P. Scott Hassett, Secretary
Wisconsin Department of Natural Resources
101 South Webster Street
Madison, WI 53703

Alan Walts, Title VI Coordinator
EPA Region 5

Stephen G. Pressman, Associate General Counsel
Civil Rights Law Office (MC 2399A)